

HOUSE BILL 1976
By McMillan

AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 38, relative to Victim Specialist certification.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 38, is amended by adding sections 2 through 8 of this act as a new, appropriately designated part.

SECTION 2. This part shall be known and may be cited as the "Victim Specialist Certification Act".

SECTION 3. Individuals who have reached and maintained a certain professional standard, received standard minimum training, and demonstrated competency and ethics in the delivery of crime victim services, shall be certified as a "victim specialist" in accordance with the provisions of this part. Failure to achieve this certification shall not be construed to prevent an individual from assisting victims.

SECTION 4. Victim specialist certification may be issued or withdrawn by the "Tennessee victim specialist certification committee," hereinafter referred to as "the committee." The committee's membership, appointment, and duties shall be as follows:

(1) The committee shall consist of nine (9) members, who shall serve three-year staggered terms.

(2) Appointments to the committee shall be made by the president of the Tennessee district attorneys general conference. The appointments shall include the chairperson of the Tennessee victim's council or such person's designee, and a crime victim. Initial appointments shall be three (3) members appointed for one (1) year, three (3) members appointed for two (2) years, and three (3) members appointed for three (3) years. Thereafter, three (3) members will be appointed annually for three-year terms. At least two (2) members shall be appointed from each grand division. Thereafter, one third (1/3) of the committee will be appointed annually for three-year terms.

(3) The committee shall be assisted by the statewide victim-witness coordinator with the Tennessee district attorneys general conference, and shall meet at least annually or as often as necessary, to:

- (A) Select a chair and make appointments of responsibilities within the board;
 - (B) Certify victim specialists who meet requirements;
 - (C) Decertify those who no longer meet requirements;
 - (D) Promote educational opportunities and approve training programs or curriculum;
 - (E) Develop and promulgate professional ethics and standards;
 - (F) Promote the establishment and maintenance of ethical and quality services to victims of crime;
 - (G) Approve forms, kits, and other items necessary to the certification process;
 - (H) Establish minimum application fees and seek necessary grants or funding for victims' programs; and
 - (I) Conduct other business necessary to perform its duties.
- (4) Committee members shall not be paid travel or other expenses.

SECTION 5. In order to grant victim specialist certification, the committee must determine that an applicant meets the following requirements:

- (1) Has an approved application;
- (2) Has an approved resume;
- (3) Is a citizen of Tennessee;
- (4) Is at least twenty-one (21) years of age;
- (5) Is in compliance with professional ethics and standards;
- (6) Has no felony convictions;
- (7) Has a minimum of a high school education or a general education development certificate (GED);
- (8) Has at least three (3) years of approved applied work experience;
- (9) Has at least five hundred (500) hours of approved work experience in crime victimization;
- (10) Has at least two (2) letters of recommendation from officials having the responsibility of delivering crime victims' services where the specialist resides or intends to practice;
- (11) Within two (2) years of application has completed at least forty (40) hours of in-service, continuing education or academic courses, ten (10) of which may be approved elective courses and thirty (30) of which must be approved in all of the following core areas:
 - (A) Orientation to the criminal justice system;
 - (B) Roles of criminal justice officials;
 - (C) Ethics and confidentiality;
 - (D) Duties and responsibilities;
 - (E) Victims bill of rights and related laws;
 - (F) Communication skills;

- (G) Victim interaction;
- (H) Dealing with difficult people, hostility, and grief;
- (I) Available resources;
- (J) Developing supportive collaboration with other agencies;
- (K) Victims' compensation and other available financial assistance; and
- (L) Responding to community crisis.

Following certification, a victim specialist shall complete at least twenty (20) hours of in-service training to retain certification. The committee may allow an additional one-year period for an individual to obtain the required in-service training.

SECTION 6. Certification by the committee shall be for a period of two (2) years, unless the committee decertifies an individual. An individual may be recertified by the committee every two (2) years upon application and verification of meeting the requirements of section 5.

SECTION 7. For a period of two (2) years from this act becoming law, an individual who has a minimum of six (6) years paid or unpaid committee-approved, full-time work experience in the crime victim service field may substitute that experience for the course work required in section 5 to achieve certification.

SECTION 8. The process for becoming a certified victim specialist shall be as follows:

(1) The applicant shall obtain a committee-approved application kit containing information, an application, and other necessary forms from the statewide victim-witness coordinator. If determined by the committee, an application fee shall be paid in order to receive the application kit.

(2) Upon completion of the application kit, the applicant shall file the application and supporting documents evidencing completion of the requirements with the statewide victim-witness coordinator. If determined by the committee, a processing fee shall be paid in order to continue the process.

(3) Upon filing of the application and payment of any fees, the statewide victim-witness coordinator shall determine whether the applicant has any prior felony convictions and the applicant's educational level.

(4) Upon completion and filing of the application kit and verification that the applicant has no prior felony convictions and meets educational requirements, the statewide victim-witness coordinator shall cause the application to be placed on the agenda for the next meeting of the committee. The committee shall then certify for a period of two (2) years those applicants who have, to the committee's satisfaction, met the requirements of this part, reject those who have not met such requirements, or defer action for the receipt of additional information.

(5) Any individual whose application is rejected by the committee may appeal the committee's decision at the committee's next meeting.

SECTION 9. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end, the provisions of this act are declared to be severable.

SECTION 10. This act shall take effect upon becoming a law, the public welfare requiring it.